

BARCLAY DAMON ^{LLP}

Paul A. Sanders
Partner

July 12, 2023

VIA CM/ECF AND ELECTRONIC & REGULAR MAIL

Hon. Kenneth M. Karas
U.S. District Court Judge
Southern District of New York
300 Quarropas St.
White Plains, NY 10601-4150

Re: Harris v. Westchester, et al.
Civil Action No.: 7:22-cv-10511
Westchester County Index No.: 62964/2022
Our File No.: 3200634

Dear Judge Karas:

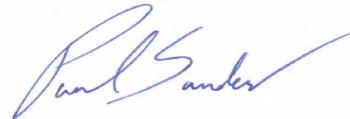
All defendants in this case recently filed FRCP Rule 12(b)(6) motions to dismiss the pleadings, per authorization of the Court. On June 30, 2023, Plaintiff Dajuan A. Harris ("Plaintiff") filed papers opposing the motions to dismiss and seeking leave to amend (*dkt.* 31). On July 5, 2023, defendants filed a response, consenting to Plaintiff's request to file a First Amended Complaint, while reserving all rights with respect to the amended pleadings (*dkt.* 32).

The parties have now met and conferred and jointly request the following relief: That the pending motions to dismiss be terminated without prejudice. Plaintiff shall have 30 days from the date this application is So Ordered to file the First Amended Complaint. Defendants will then have 30 days from the filing of the First Amended Complaint to serve answers or otherwise move.

All parties consent to this request.

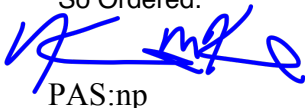
Thank you for Your Honor's consideration of this request.
Granted. The Clerk is requested to terminate all pending Motions to Dismiss (Doc. #s 16, 19, 29). The schedule proposed herein going forward is approved.

Respectfully submitted,



Paul A. Sanders

So Ordered.


PAS:np

7/12/23

cc: Hugh G. Jasne, Esq. (via CM/ECF & electronic mail)